

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO. 07-CV-60399
ALTONAGA/TURNOFF

SPIRIT AIRLINES, INC.,

Plaintiff,

vs.

24/7 REAL MEDIA, INC.,
ADVERTISING.COM, INC., AMERICA
ONLINE, INC. DBA AOL, BURST
MEDIA CORPORATION,
CARROLLTON BANK, CHEAPFLIGHTS
(USA), INC., ECHO TARGET, INC.,
HOTWIRE, INC., INTERCEPT
INTERACTIVE, INC., PRICELINE.COM,
LLC, RACKSPACE, LTD., SHERMANS
TRAVEL, INC., SIDESTEP, INC.,
SMARTER LIVING, INC.,
SPECIFICMEDIA, INC., TRAVEL
MARKETING GROUP, INC.,
TRAVELZOO, INC., TRIBAL FUSION,
INC., TRIPADVISOR LLC,
VALUECLICK, INC., and THE
WEATHER CHANNEL INTERACTIVE,
INC.,

Defendants.

MOTION TO TRANSFER VENUE

Pursuant to 28 U.S.C §§ 1404(a) and 1406(a), Plaintiff Spirit Airlines, Inc. ("Spirit") moves this Court for an order transferring this action to the United States District Court, District of Delaware.

This Motion is based on the accompanying Memorandum in Support of Motion to Transfer Venue, the complaint, answers, and pleadings, and the documents on file in this action.

BERGER SINGERMAN
attorneys at law

Boca Raton Fort Lauderdale Miami Tallahassee

350 East Las Olas Boulevard Suite 1000 Fort Lauderdale, Florida 33301 Telephone 954-525-9900 Facsimile 954-523-2872

Dockets.Justia.com

Dated: May 17, 2007

BERGER SINGERMANN

By: /s/ Anthony J. Carriuolo
Anthony Carriuolo (FBN 434541)
acarriuolo@bergersingerman.com
350 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, FL 33301
Telephone: 954-525-9900
Facsimile: 954-523-2872

LOCAL COUNSEL FOR PLAINTIFF SPIRIT
AIRLINES, INC.

and

FAFINSKI MARK & JOHNSON, P.A.

Connie A. Lahn, *pro hac* admission
Connie.lahn@fmjlaw.com
400 Flagship Corporate Center
775 Prairie Center Drive
Eden Prairie, Minnesota 55344
Telephone: 952.995.9500
Facsimile: 952.995.9577

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO. 07-CV-60399 ALTONAGA/TURNOFF

SPIRIT AIRLINES, INC.,

Plaintiff,

vs.

24/7 REAL MEDIA, INC.,
ADVERTISING.COM, INC.,
AMERICA ONLINE, INC. DBA
AOL, BURST MEDIA
CORPORATION, CARROLLTON
BANK, CHEAPFLIGHTS (USA),
INC., ECHO TARGET, INC.,
HOTWIRE, INC., INTERCEPT
INTERACTIVE, INC.,
PRICELINE.COM, LLC,
RACKSPACE, LTD., SHERMANS
TRAVEL, INC., SIDESTEP, INC.,
SMARTER LIVING, INC.,
SPECIFICMEDIA, INC., TRAVEL
MARKETING GROUP, INC.,
TRAVELZOO, INC., TRIBAL
FUSION, INC., TRIPADVISOR LLC,
VALUECLICK, INC., and THE
WEATHER CHANNEL
INTERACTIVE, INC.,

Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON May 17, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served on this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronic Notices of Electronic filing.

s/Anthony J. Carriuolo
Anthony J. Carriuolo

SERVICE LIST

Spirit Airlines, Inc. v. 24/7 Real Media, Inc., et al.
Case No. 07-cv-60399-CMA (Altonaga/Turnoff)
United States District Court, Southern District of Florida

<p>Barbara L. Phillips <u>bphillipsa@bellsouth.net</u> Ingram Building, Suite 1139 25 Southeast 2nd Avenue Miami, Florida 33131-1605 Telephone: 305-371-3633 Attorneys for Interpleaded Defendant, Carrollton Bank Notice of Electronic Filing</p>	<p>Steven J. Lachterman <u>steven@lachterman.com</u> 848 Brickell Avenue, Suite 750 Miami, Florida 33131 Telephone: 305-377-3071 Facsimile: 305-377-3097 Attorney for Defendants Hotwire, Inc., Smarter Living, Inc., Trip Advisor, LLC Notice of Electronic Filing</p>
<p>Cherish A. Thompson <u>cthompson@astidavis.com</u> Astigarra Davis Mullins & Grossman 701 Brickell Avenue, 16th Floor Miami, Florida 33131 Telephone: 305-372-8282 Facsimile: 305-372-8202 Attorney for Defendant, SideStep, Inc. Notice of Electronic Filing</p>	<p>Francis X. Sexton, Jr. <u>Fsexton@cfclas.com</u> 355 Alhambra Circle, Suite 1250 Coral Gables, Florida 33134 Telephone: 305-444-6669 Facsimile: 305-444-3665 Attorney for Defendant Value Click, Inc. Notice of Electronic Filing</p>
<p>Anthony J. Carriuolo <u>acarriuolo@bergersingerman.com</u> Berger Singerman 350 East Las Olas Boulevard, Suite 1000 Fort Lauderdale, FL 33301 Telephone: 954-525-9900 Facsimile: 954-523-2872 Attorneys for Plaintiff Notice of Electronic Filing</p>	<p>Connie A. Lahn, pro hac admission Fafinski Mark & Johnson, P.A. <u>Connie.lahn@fmjlaw.com</u> 400 Flagship Corporate Center 775 Prairie Center Drive Eden Prairie, Minnesota 55344 Telephone: 952-995-9500 Facsimile: 952-995-9577 Attorneys for Plaintiff Notice of Electronic Filing</p>
<p>Lewis Franklin Murphy <u>lmurphy@ssd.com</u> Squire Sanders & Dempsey LLP 200 S. Biscayne Boulevard, 40th FL Miami, Florida 33131-2398 Telephone: 305-557-2957 Facsimile: 305-577-7001 Attorney for Defendant Burst Media Corporation Notice of Electronic Filing</p>	<p>Esther Anne Zaretsky <u>eazaretsky@florida-counsel.com</u> 1655 Palm Beach Lakes Boulevard West Palm Beach, Florida 33401 Telephone: 561-683-1559 Facsimile: 561-689-66660 Attorney for Counter Claimant, Echo Target, Inc. Notice of Electronic Filing</p>